

**THE EMPLOYER SHALL PROMPTLY POST THIS ORDER IN THE MANNER AND LOCATIONS CUSTOMARILY USED FOR THE POSTING OF INFORMATION TO EMPLOYEES. THIS ORDER SHALL REMAIN POSTED FOR 10 DAYS.**

**IF THE EMPLOYER CUSTOMARILY DISTRIBUTES INFORMATION TO EMPLOYEES BY ADDITIONAL MEANS, SUCH AS BY E-MAIL OR HARD COPY, THE EMPLOYER SHALL PROMPTLY DISTRIBUTE THIS ORDER TO THE AFFECTED EMPLOYEES THROUGH THOSE MEANS AS WELL.**

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:	)	
	)	
City of Cresco,	)	
Public Employer,	)	BU-0183
	)	
and	)	
	)	
Local 1068, American Federation of State,	)	
County and Municipal Employees, AFL-CIO,	)	
Certified Employee Organization.	)	

ORDER OF RECERTIFICATION

Following the filing of an order directing an election, a retention and recertification election pursuant to Iowa Code section 20.15(2) was conducted under the supervision of the Board. The Board, having subsequently reviewed the file and being fully advised in the premises, finds that a majority of the employees in the bargaining unit voted in favor of retaining and recertifying Local 1068, American Federation of State, County and Municipal Employees, AFL-CIO as the exclusive bargaining representative of the bargaining unit described below.

No objections to the election having been filed as provided for in Iowa Code section 20.15(4) and PERB rule 621-5.4, the Board finds that an order of recertification should be issued.

IT IS THEREFORE ORDERED that Local 1068, American Federation of State, County and Municipal Employees, AFL-CIO is hereby recertified as the

exclusive bargaining representative of the following bargaining unit of employees  
of City of Cresco:

INCLUDED: Assistant Superintendent, Sewage Treatment Plant; Assistant  
chief of Police; Patrol Officer; Certified Sewage Treatment Plant  
Operator; Assistant Superintendent of Streets; Street  
Maintenance Worker; Certified Water Plant Operator;  
Assistant Water Superintendent and Police Sergeant.

EXCLUDED: Director of Public Works; Superintendent of Water Works;  
Superintendent of Sewage Treatment Plant; Street  
Commissioner; City Clerk; Assistant City clerk; Chief of Police;  
Fire Chief; Volunteer Firefighters, and all those excluded by  
Section 4 of the Act.

DATED at Des Moines, Iowa, this 7th day of November, 2017.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: 

Michael G. Cormack, Chair

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

PUBLIC  
RELATIONS  
BOARD

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CITY OF CRESCO,	)	
Public Employer/Petitioner,	)	
	)	
and	)	CASE NO. 5905
	)	
LOCAL 1068, AMERICAN FEDERATION OF	)	
STATE, COUNTY AND MUNICIPAL EMPLOYEES,	)	
AFL-CIO,	)	
Certified Employee Organization.	)	

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DECISION ON APPEAL

This case is before the Public Employment Relations Board (PERB or Board) on appeal of a Proposed Decision and Order issued by an administrative law judge (ALJ). This matter involves a petition for amendment of bargaining unit filed by the City of Cresco pursuant to PERB rule 621-4.6, seeking to exclude the Assistant chief of Police from a bargaining unit represented by Local 1068, American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME), based on his alleged supervisory status. In his proposed decision, the ALJ determined that the Assistant Chief is not a supervisor within the meaning of Iowa Code section 20.4(2) and is appropriately included in the unit. The City appealed this decision to the full Board.

Pursuant to PERB subrule 621-9.2(3), we have heard the case upon the record submitted before the ALJ.

Oral arguments on appeal were presented to the Board on February 10, 1999 by representatives of the parties--Renee Von Bokern for the City and Tom Anthony for AFSCME. The City filed a brief on appeal.

ORDER

IT IS HEREBY ORDERED that the bargaining unit description and AFSCME certification issued in PERB Case No. 918 is amended to read:

INCLUDED: Assistant Superintendent, Sewage Treatment Plant; Assistant chief of Police; Patrol Officer; Certified Sewage Treatment Plant Operator; Assistant Superintendent of Streets; Street Maintenance Worker; Certified Water Plant Operator; Assistant Water Superintendent and Police Sergeant.

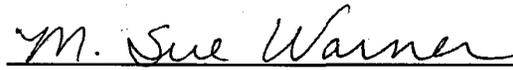
EXCLUDED: Director of Public Works; Superintendent of Water Works; Superintendent of Sewage Treatment Plant; Street Commissioner; City Clerk; Assistant City Clerk; Chief of Police; Fire Chief; Volunteer Firefighters, and all those excluded by Section 4 of the Act.

DATED at Des Moines, Iowa, this 30<sup>th</sup> day of July, 1999.

PUBLIC EMPLOYMENT RELATIONS BOARD



Richard P. Moore, Chair



M. Sue Warner, Board Member

STATE OF IOWA  
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

CITY OF CRESCO,

Public Employer

and

AMERICAN FEDERATION OF STATE, COUNTY  
AND MUNICIPAL EMPLOYEES, (AFSCME),  
LOCAL NO. 1068,

Petitioner

CASE NO. 918

ORDER OF CERTIFICATION

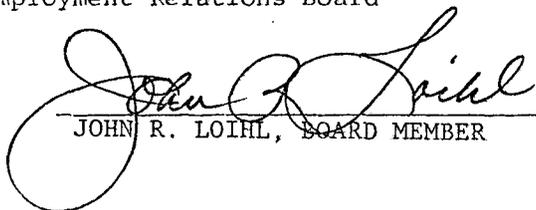
NOW, on this 3rd day of October, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 1068, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the rules and regulations thereunder;

IT IS HEREBY ORDERED that AFSCME Local No. 1068 should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of the CITY OF CRESCO, a public employer, in the following bargaining unit:

INCLUDED: Assistant superintendent, sewage treatment plant; patrolmen; radio operator; certified sewage treatment plant operator; assistant superintendent of streets; street maintenance worker; certified water plant operator; and police sergeant.

EXCLUDED: Director of public works, superintendent of water works, superintendent of sewage treatment plant, street commissioner, chief radio dispatcher, city clerk, assistant city clerk, chief of police, fire chief, volunteer firemen and all those excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board

  
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JOHN R. LOHRL, BOARD MEMBER